



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Salt Lake Field Office  
2370 South 2300 West  
Salt Lake City, Utah 84119  
ph: (801) 977-4300; Fax: (801) 977-4397  
www.blm.gov/ut

0005 S/045/0055  
cc: Leslie



IN REPLY REFER TO:

3809

U-69198

(UTW011)

file

MAR 1 2009

SURNAME
KT
3/10/09
3/10/09

Certified Mail Number- 7007 1490 0000 0216 2179

Return Receipt Requested

### DECISION

Mr. Walter Wellman  
Wellman Minerals Corporation  
1042 Fort Union Blvd., Suite 127  
Midvale, Utah 84047

43 CFR 3809  
Noncompliance Order

### Noncompliance Order

On January 31, 2007, the Bureau of Land Management (BLM) Salt Lake Field Office (SLFO) issued to you a "Notice Expired" decision letter informing you that your previously existing notice for mining operation (Notice) located in section 14, T. 8 S., R. 18 W., in Tooele County, on the Brown Rock #7 lode mining claim had expired effective January 22, 2007 because you failed to extend it as required by 43 CFR 3809.332. BLM's January 31, 2007 decision stated, in part, that:

"All exploratory activities on the subject claim must cease immediately. The only activities that are currently permitted are those activities related to reclamation of the surface disturbance associated with your exploratory operations. Within 30 days of receipt of this decision, a reclamation plan and schedule for final reclamation of the site must be submitted to this office."

"If you wish to conduct mining activities on the subject mining claim, you must submit a new Plan of Operations (Plan) within 30 days of receipt of this decision. If you wish to limit your operation to the type of exploratory activities that have previously occurred at the site, a new Notice must be filed within 30 days of receipt of this decision. The Plan must be approved, or the Notice accepted, and a financial guarantee accepted prior to any additional earth disturbing activities at this site."

On February 21, 2007, thirty days after the expiration of your notice, we received a letter from you stating that "operations will continue to be those authorized under our previous Notice."

The BLM responded in writing via certified mail on March 8, 2007, informing you that expired Notices cannot be re-authorized or otherwise continued. The letter reiterated that you were required to cease all mining activity, submit a Notice or Plan, or reclaim the site.

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DIV. OF OIL, GAS & MINING

The record shows that you received BLM's January 31, 2007 decision and March 8, 2007 follow-up letter. The record also shows that you *failed to comply* with the decision, in that you have not to date submitted to BLM a reclamation plan, Notice, or Plan of Operations.

Field inspections conducted by BLM personnel since early 2007 indicate that the subject site remains unreclaimed. In addition, a significant amount of new surface disturbance was observed beginning with an April 29, 2008 site visit by BLM. At that time approximately 2,500 feet of new roads were observed on the hill northwest of the original disturbance. Numerous bladed areas were also noted as well as three open boreholes of undetermined depth. This additional disturbance also remains unreclaimed as of this date.

Your continued unauthorized activity at the site and failure to reclaim it is in violation of 43 CFR 3809. Specifically, you are in violation of the following regulations:

§3809.335(a)(1,2)      *When your notice expires you must cease operations, except reclamation and complete reclamation promptly*

At the expiration of your Notice, you did not cease operations, submit a reclamation plan, reclaim the site, or submit a Notice or Plan of Operations. Your reclamation obligations continue beyond the expiration or any termination of your notice until you satisfy them [43 CFR 3809.335(b)]. Accordingly, BLM considers you to be in noncompliance.

§3809.21(a)              *You must submit a complete notice before you commence exploration causing surface disturbance on public lands*

You have conducted exploration causing surface disturbance at the site including earthmoving, road construction, and drilling, without submitting a notice.

§3809.312(c)              *You must provide BLM a financial guarantee before beginning operations*

You began additional unauthorized surface disturbing activities at the site without providing BLM a financial guarantee.

This noncompliance order is issued under the authority of:

43 CFR 3809.601, as your operation is not in compliance with §3809.335, §3809.21, and §3809.312.

Within 30 days of receipt of this letter you must complete one of the following:

- 1) If you wish to conduct mining or exploratory activities at the site a new Notice or Plan must be filed with BLM. The Notice or Plan must be approved, and a financial guarantee accepted, prior to any additional earth disturbing activities at this site.
- 2) If you do not wish to continue mining or exploratory activity you must initiate reclamation promptly. Before reclamation work begins a reclamation plan and schedule for final reclamation of the site must be submitted to this office. The reclamation plan and

schedule for reclamation must be accepted by the Salt Lake Field Office prior to commencing any reclamation work on the ground. Reclamation should include properly abandoning the water well, removing the fence, plugging the open boreholes, pushing overburden material back into the excavations, reshaping the land to near its original contour, and redistributing the topsoil. All roads, including access roads into the site would also need to be reclaimed. Finally, the reclaimed areas would need to be ripped, harrowed, or disked, then re-seeded.

Your activity at the site has been conducted without authorization and you are in noncompliance. If you fail to submit the aforementioned documentation or you refuse to or are unable to conduct reclamation of the site, BLM may initiate forfeiture of all or part of your financial guarantee (\$3809.595) and begin reclaiming the site including access roads leading into it. In addition, the BLM may initiate trespass proceedings against you for unauthorized activity on public lands.

If you do not agree and are adversely affected by this decision, in accordance with 43 CFR 3809.804, you may have the Utah BLM State Director review this decision. If you request a State Director review, the request must be received in the Utah BLM State Office, P.O. Box 45155, Salt Lake City, Utah 84145-0155, no later than 30 calendar days after you receive this decision. A copy of the request must also be sent to this office. The request must be in accordance with the provisions provided in 43 CFR 3809.805. If a State Director review is requested, this decision will remain in effect while the State Director review is pending, unless a stay is granted by the State Director. Standards for obtaining a stay are given below. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the Utah State Director does not make a decision on whether to accept your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You then have 30 days in which to file your notice of appeal with the IBLA (see procedures below).

If you wish to bypass the State Director review, this decision may be appealed directly to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Salt Lake Field Office within 30 days of receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If you have any questions, or require additional information, please contact Stephen Allen of my staff at (801) 977-4360.

Sincerely,

/S/ MICHAEL G. NELSON

Michael G. Nelson  
Assistant Field Manager  
Nonrenewable Resources

cc: Paul Baker  
Utah Division of Oil, Gas and Mining



- Notice -  
for

**Exploration Activity under the Surface Management Regulations at 43 CFR 3809**

You may submit a Notice for surface disturbing activity greater than casual use instead of a Plan of Operations. To qualify for a Notice the activity must: 1) constitute exploration, 2) not involve bulk sampling of more than 1,000 tons of presumed ore, 3) must not exceed 5 acres of surface disturbance, and 4) must not occur in one of the special category lands listed in 43 CFR 3809.11(c). The regulations at 43 CFR 3809.301(b) describe the information that you, the operator, are required to provide in order for the Notice to be complete. The Notice is to be filed in the BLM field office with jurisdiction over the land involved. The Notice does not need to be on a particular form but must contain the information required by 43 CFR 3809.301(b), as outlined below. This format has been prepared to help small or medium scale operators address the content requirements for a Notice. Use of this worksheet is voluntary.

**Part 1 - Operator Information**

You must identify the operator responsible for conducting the proposed activity. If the operator is a corporation, then a corporate point of contact must be identified. You must notify the BLM in writing within 30 days of any change of operator or corporate point of contact or in the mailing address of either.

Name(s):	Point of Contact (if operator is a corporation): Walter R. Wellman, President
Mailing Address:	Mailing Address: Wellman Minerals Corporation 1042 Fort Union Blvd. STE 127 Midvale, Utah 84047
Phone Number:	Phone Number: 801-440-1955
Fax Number:	Fax Number: NA
Email address (optional):	Email address (optional): wmc@qwest.net
Taxpayer Identification Number (for an individual this is your social security number): 87-0547286	
Unpatented Mining Claims (list the name and BLM serial number(s) of any unpatented mining claim(s) where disturbance would occur): Brown Rock 7 UMC 181718	
Other Federal, State, or Local Authorizations (list any other permits or licenses you have either applied for or been issued for this project): State of Utah	

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## Part 2 – Description of Exploration Activity and Reclamation

You must provide a complete description of all equipment, devices or practices you propose to use during operations with a level of detail appropriate to the type, size, and location of the activity. The type of information required is listed below. You only need to address those items applicable to your operations.

<p>Project Area Maps (<i>Attach map(s) that show the location of your project in sufficient detail for BLM to find it and the location of access routes that will be used or constructed. Show all relevant project features on the maps or drawings:</i></p>	<p><input checked="" type="checkbox"/> Exploration location  <input checked="" type="checkbox"/> Access routes, new and existing construction  <input type="checkbox"/> Drillsite/drill hole location(s)  <input checked="" type="checkbox"/> Trenching location/depth  <input type="checkbox"/> Underground workings  <input type="checkbox"/> Support facilities/buildings/utility service/etc.  <input type="checkbox"/> Other:</p>
<p>Activity Description (<i>Address each applicable project feature, describe the equipment you intend to use and measures you will take to prevent unnecessary or undue degradation.</i></p>	<p><input type="checkbox"/> Access route construction and use  <input type="checkbox"/> Drill site construction  <input type="checkbox"/> Drilling operations/drill fluids &amp; cuttings handling  <input checked="" type="checkbox"/> Trenching or surface sampling  <input checked="" type="checkbox"/> Underground sampling or excavation  <input checked="" type="checkbox"/> Bulk sample or waste stockpile placement  <input type="checkbox"/> Support facilities construction and operation  <input type="checkbox"/> Other:</p>
<p>Activity Description (<i>Describe your proposed exploration activity. Attach additional sheets/maps where needed</i>)</p> <p>① Project area map(s) submitted previously.</p> <p>② Trenching or surface sampling. / Underground sampling or excavation</p> <p>③ Operations will be conducted so as to prevent unnecessary or undue degradation, as the ore will be mined and removed off site using traditional excavation and hauling equipment.</p>	

Reclamation Plan (provide a reclamation plan to meet the standards in 43 CFR 3809.420. Include a description of the equipment, devices and practices you will use. Address the applicable components in the right column)

- ☒ Drill hole plugging procedures
- ☐ Disposal of drill cuttings or other waste material
- ☒ Drill site/drill road regrading and reshaping plans
- ☒ Closure of mine openings and test pits
- ☒ Topsoil salvage, handling and replacement
- ☒ Vegetation reestablishment / weed control
- ☐ Removal/stabilization of buildings & support facilities
- ☐ Other:

Reclamation Plan (Describe how you will complete reclamation of the project area. Attach additional sheets/maps where needed)

REFERENCE to Reclamation Cost Model for existing Notice/Water Operations (attached)

The resultant excavation may be suitable for a fresh water impound area using the existing well for wildlife, sheepheads or other suitable uses.

Note - the submitted bond calculations include new surface disturbances done without my knowledge or permission by two claim jumpers who we have identified

Schedule of Activities (provide a schedule with the date you expect to begin operations and the date you expect to complete reclamation. Notices expire in 2 years, after which, only reclamation may be conducted unless the Notice is extended.)

Summer of 2009. Activities will continue as long as economically sound, thus the reclamation date is unknown. This Notice will be extended as needed under the "small mine" status.



# Reclamation Cost Estimate

A reclamation cost estimate (RCE) is required for your Notice to be complete. The following are general RCE requirements. The BLM is available to assist you in developing your reclamation cost estimate.

Reclamation Cost Estimate  
Elements (Account for each  
of these cost elements)

\$ 11,271.<sup>00</sup>

- ☒ The RCE must cover the Reclamation Plan at any point in the project life
- ☒ Calculate the RCE based on BLM's cost to contract for the reclamation
- ☒ Include all equipment use, supplies, labor, and power in direct costs
- ☒ Allow for a contingency cost (10% of direct costs)
- ☒ Allow for contractor profit (10% of direct costs)
- ☒ Include contractor liability insurance (1.5% of total labor cost)
- ☒ For direct costs over \$100,000 add 3% for payment & performance bonds
- ☒ Add 12% of direct costs for BLM contract administration & indirect costs

Reclamation Cost Estimate (Attach additional sheets/maps where needed)

See attached two page estimate.

Mr. Hall will provide an acceptable Reclamation Bond for Wellman Minerals Corporation upon acceptance by the BLM and our company. Please contact:

Tex Bank

Attn: Mr. Richard Hall

Telephone # 760-947-6552

17415 Catalpa Street, Suite 7

Hesperia, California  
92343



The Notice is submitted this date by:



(Signature of operator or agent)

4/06/09

Date

(Signature of co-operator or agent)

Date

### Additional Processing Information

Within 15 calendar days of receiving your Notice, the BLM will review the Notice material and notify you:

- 1) that your Notice is complete and the amount of the financial guarantee that must be provided before operations may begin; or
- 2) that your Notice is not complete, specifying what information is missing or incomplete; or
- 3) that your Notice is complete but that BLM requires additional time for consultation, field visits, or review before it can evaluate the Notice; or
- 4) that the Notice must be modified in order to prevent unnecessary or undue degradation; or
- 5) that your operations do not qualify for a Notice.

Once a complete Notice is received, and BLM determines that it will not cause unnecessary or undue degradation, the BLM will notify you that your Notice has been accepted and issue a decision on the amount of the financial guarantee. However, you must not begin surface disturbing activity until you have provided a financial guarantee in the approved amount to the BLM State Office, and received a decision from that office that the financial guarantee instrument has been accepted.

All Notices expire two years from the date of the letter establishing the financial guarantee amount. If you wish to conduct operations for two additional years after the expiration date of your Notice, you must notify BLM in writing on or before the expiration date and meet the financial guarantee requirements. You may extend your Notice more than once.

It should be noted that acceptance of a Notice by BLM does not constitute a determination regarding the validity or ownership of any unpatented mining claim involved in the operation. In addition, you are responsible for obtaining any use rights or local, state or federal permits, licenses or reviews that may be required for your operation.

A Notice proposing use and occupancy of the public lands, such as full or part time residence or the construction, presence, or maintenance of temporary or permanent structures, must also obtain concurrence under the regulations at 43 CFR 3715 that the use or occupancy is reasonably incident to the prospecting or exploration activity.

# **Reclamation Cost Model** **For Existing Notice Level Operations**

Work				Earthwork
Light	Acres	0.5 Recontouring Cost	Cost/Acre \$ 330.00	\$165.00
Moderate		0 Recontouring Cost	\$ 990.00	\$0.00
Heavy		0 Recontouring Cost	\$1,485.00	\$0.00
Excavator Work				
Roads with the side Slope,	Linear Feet		Cost/Linear Foot	
<30%	2500	Recontouring Cost	\$ 1.50	\$3,750.00
>30%	0	Recontouring Cost	\$ 2.40	\$0.00
Areas of non-road disturbance where the use of dozer wouldn't be adequate.				
<30%	Acres	0.5 Recontouring Cost	Cost /Acre \$4,665.00	\$2,332.50
>30%		0 Recontouring Cost	\$7,465.00	\$0.00
Revegetation				Revegetation
Non-Road disturbances with machine spreader	Acres	0 Revegetation Cost	Cost/Acre \$ 600.00	\$0.00
Non-Road disturbances with manual spreading		0.5 Revegetation Cost	\$150.00	\$75.00
Road disturbances with machine spreader	Linear Feet	0.5 Revegetation Cost	Cost/Linear Foot \$ 0.20	\$0.10
Road disturbances with manual spreader		0 Revegetation Cost	\$0.05	\$0.00
Mobilization				Mobilization
	No. Pieces of equipment		Cost/Piece	
	1	Mobilization Cost	\$1,500.00	\$1,500.00

Laborers	No. Laborers	No. Days	Cost/Laborer/day	
	2	2	\$109.60	\$438.40
<b>Total Labor Cost</b>	<b>\$ 1,863.28</b>	<b>Total Operating and Maintenance (O&amp;M) Cost</b>		<b>\$8,261.00</b>
		Contractor's Profit	10% O&M Cost	\$826.10
		<b>Estimated Contract</b>		<b>\$9,087.10</b>
		Contingency	10% O&M Cost	\$826.10
		<b>Total Estimated Contract and Contingency</b>		<b>\$9,913.20</b>
<b>Administrative Fees</b>		Contract Administration	10% O&M Cost	\$826.10
		Indirect Costs	21% Administrative Cost	\$173.48
		*Engineering/Design	4% O&M Cost	\$330.44
		Insurance	1.5% Labor Cost	\$27.95
		**Bond Maintenance	3% Rec. Cost [waived]	\$0.00
*May be waived for small, uncomplicated reclamation efforts... For operations such as heap leaches the percent may need to be higher. **Only Administered if Estimated Contract Costs over \$100,000.				
		<b>Total Administrative Cost</b>		<b>\$1,357.97</b>
		<b>Bond Amount</b>		<b>\$11,271.17</b>



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Salt Lake Field Office  
2370 South 2300 West  
Salt Lake City, Utah 84119  
ph: (801) 977-4300; Fax: (801) 977-4397  
www.blm.gov/ut

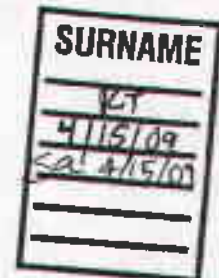


IN REPLY REFER TO:

3809  
U-69198  
(UTW011)

file

APR 16 2009



Certified Mail Number – 7008 3230 0002 7182 3606  
Return Receipt Requested

Mr. Walter Wellman  
Wellman Minerals Corporation  
1042 Fort Union Blvd., Suite 127  
Midvale, Utah 84047

Dear Mr. Wellman:

The Bureau of Land Management (BLM) has completed its initial review of your April 6, 2009, submission of a 43 CFR 3809 Notice of Intent (NOI), for proposed exploration activities on the Brown Rock #7 (UMC 181718) lode mining claim located in section 14, T. 8 S., R. 18 W., in Tooele County, Utah. Your submission (case file number U-69198), is incomplete.

The Surface Management regulations found at 43 CFR 3809.301 list the minimum information that must be submitted by an operator when filing a Notice, in order to allow the BLM to determine: 1) that the proposed operations would not result in unnecessary or undue degradation of public lands; and, 2) that the operation is properly classified as casual use, notice-level, or plan-level, in accordance with §3809.10.

The BLM requests the following additional information from you as required by 43 CFR 3809.301:

- 1) Please provide more detail in your activity description. Your description simply states "Trenching or surface sampling/Underground sampling or excavation". This is not an adequate level of detail for BLM to evaluate your proposed activities. Also, be sure to include a description of the specific type of equipment you intend to use §3809.301(b)(2)(iii).
- 2) As required by §3809.301, you must include a reclamation plan which describes how you will complete reclamation to the standards described in §3809.420. While your notice does provide a reclamation cost estimate, it does not describe the equipment, devices, and practices you will use to reclaim the site. For example, you should describe drill hole plugging procedures, drill site/drill road re-grading and reshaping plans, closure of excavations and test pits, topsoil salvage, handling and replacement, and vegetation reestablishment.

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- 3) An estimate of the weight or volume of material that will be removed and processed during your operation.

In accordance with §3809.312, you are not authorized to engage in any of the activities described in your Notice until this office determines that your Notice is complete, you provide the financial guarantee required under §3809.552, and BLM notifies you that you may begin operations.

Please submit the requested information within 30 days of receipt of this letter. If we do not receive the requested information from you, we will consider your Notice to be withdrawn, close the subject case file and require you to reclaim the site. If you have any questions, or require additional information, please contact Stephen Allen of my staff at (801) 977-4360.

If you have any questions, or require additional information, please contact Stephen Allen of my staff at (801) 977-4360.

Sincerely,

Michael G. Nelson  
Assistant Field Manager  
Nonrenewable Resources

cc: Paul Baker  
Utah Division of Oil, Gas and Mining

**WELLMAN MINERALS CORPORATION**

1042 E. Fort Union Blvd, Suite 127, Midvale, UT 84047

(801) 440-1955 • wmc@qwest.net

Via Hand-Delivery

May 7, 2009

United States Department of the Interior  
Bureau of Land Management  
Salt Lake Field Office  
2370 South 2300 West  
Salt Lake City, Utah 84119

Attn: Michael G. Nelson  
Assistant Field Manager  
Nonrenewable Resources

Re: 3809; U-69198 (UTWO11)

Dear Mr. Nelson:

The following additional information is given in support of our small miner "Notice for Exploration Activity under Surface Management Regulations at 43 CFT 3809" ("Notice" herein), per your request. Responding to the three numbered points contained in your undated letter recently received:

(1) We have previously submitted a complete Project Site Map prepared by a licensed engineer. All relevant project features were shown on the map. After that map was submitted, two claim jumpers then used a bulldozer to fill in our existing ore sample pit and grade a new road of 1500' (your estimate). This requires that a new "trenching or surface sampling" pit be dug similar to our previous pit. As described in our Notice, activities will continue as long as economically sound. If we determine that bulk testing is justified, we will proceed with our proposed pit area described on the project site map. The specific equipment, if and as needed, would be a backhoe/front end loader and/or dump truck(s) and/or earthscraper/bulldozer for an open excavation test pit.

(2) We have previously submitted a complete reclamation plan cost estimate in the format supplied by the BLM. The equipment referenced in (1) above will be used to reclaim the site as indicated on the five-page Notice. Under "Activity Description" on page 2 of our Notice, we stated: "Operations will be conducted so as to prevent unnecessary or undue degradation, as the ore will be mined and removed off-site using traditional excavation and hauling equipment." On page 3 of our Notice we checked all appropriate Reclamation Plans to be accomplished and confirmed by the Reclamation Cost Model for Existing Notice Level Operations submitted therewith, which form describes dozer and earthscraper work, excavator work and revegetation.

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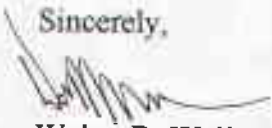
DIV. OF OIL, GAS & MINING

Bureau of Land Management  
Salt Lake Field Office  
Attn: Michael G. Nelson  
May 7, 2009  
Page 2

including costs for drill site/drill road re-grading and reshaping plans, closure of excavations and test pits, topsoil salvage, handling and replacement, and vegetation reestablishment. If any drill holes remain, as they are shallow, they will be plugged with a concrete cap. The excavation area may be used to provide a fresh water pond for wildlife or sheep, utilizing our water well. Alternatively, we will fill and cap the well.

(3) The estimated weight or volume of material removed during our operations will be that allowed under our Notice filed on April 6, 2009, or less.

Sincerely,

  
Walter R. Wellman, President  
Wellman Minerals Corporation

cc: Paul Baker, DOGM

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MAY 12 2009

Kamen Schuch  
BLM-SLFO, Information Receptionist



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Salt Lake Field Office  
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Salt Lake City, Utah 84119  
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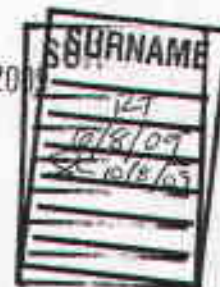
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(UTW011)

file

JUN 10 2009



Certified Mail Number – 7008 3230 0002 7182 4511

Return Receipt Requested

Mr. Walter Wellman  
Wellman Minerals Corporation  
1042 Fort Union Blvd., Suite 127  
Midvale, Utah 84047

Dear Mr. Wellman:

On April 6, 2009, the Bureau of Land Management (BLM) received your incomplete submission of a 43 CFR 3809 Notice of Intent (NOI), for proposed exploration activities on the Brown Rock #7 (UMC 181718) lode mining claim located in section 14, T. 8 S., R. 18 W., in Tooele County, Utah. The BLM subsequently requested additional information from you to be able to consider your NOI complete. On May 7, 2009, we received a portion of the information requested, however, your application is still considered to be incomplete.

The Surface Management regulations found at 43 CFR 3809.301 list the minimum information that must be submitted by an operator when filing a Notice, in order to allow the BLM to determine: 1) that the proposed operations would not result in unnecessary or undue degradation of public lands; and, 2) that the operation is properly classified as casual use, notice-level, or plan-level, in accordance with §3809.10.

The BLM requests the following additional information from you as required by 43 CFR 3809.301:

- 1) It is unclear how many additional excavations you are proposing to create at the site. Your map submitted February 21, 2007 shows a proposed pit area which is 275 feet by 175 feet. Please provide the depth of this proposed pit as well as the complete dimensions and location of any additional pit(s) and/or trenches you are proposing.
- 2) As required by §3809.301, your reclamation plan must provide a *description* of how you will complete reclamation to the standards listed in §3809.420. In the original notice application form you used the supplied checklist to indicate the applicable components of your reclamation plan. You did not however, *describe* the methods



and practices you will use to reclaim the site. For example, you are required to describe drill hole plugging procedures, drill site/drill road re-grading and reshaping plans, closure of excavations and test pits, topsoil salvage, handling and replacement, and vegetation re-establishment.

In accordance with §3809.312, you are not authorized to engage in any of the activities described in your Notice until this office determines that your Notice is complete, you provide the financial guarantee required under §3809.552, and BLM notifies you that you may begin operations.

Please submit the requested information within 30 days of receipt of this letter. If we do not receive the requested information from you, we will consider your Notice to be withdrawn, close the subject case file and require you to reclaim the site. If you have any questions, or require additional information, please contact Stephen Allen of my staff at (801) 977-4360.

If you have any questions, or require additional information, please contact Stephen Allen of my staff at (801) 977-4360.

Sincerely,

**/S/ MICHAEL G. NELSON**

Michael G. Nelson  
Assistant Field Manager  
Nonrenewable Resources

cc: Paul Baker  
Utah Division of Oil, Gas and Mining